

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

OCT 18 2005

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DONNIE RAY ROSENBAUM,  
Plaintiff,

v.

VA. PAROLE BOARD, et. al.,  
Defendant(s).

Civil Action No. 7:05-cv-00626

**FINAL ORDER**

By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the above referenced civil action, construed by the court as a petition for habeas corpus, pursuant to 28 U.S.C. §2254, is hereby **DISMISSED** without prejudice, pursuant to Rule 4 of the Rules Governing § 2254 Proceedings, and that the action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 18<sup>th</sup> day of October, 2005.

*James C. Turk*  
Senior United States District Judge